

9-21-1982

## Resolution 1982-04-12 Outer Continental Shelf Revenue-Sharing for Fisheries and Wildlife Programs

Association of Fish and Wildlife Agencies

Follow this and additional works at: [http://digitalcommons.law.msu.edu/afwa\\_reso](http://digitalcommons.law.msu.edu/afwa_reso)



Part of the [Environmental Law Commons](#), and the [Natural Resources Law Commons](#)

---

### Recommended Citation

Association of Fish and Wildlife Agencies, *Resolution 1982-04-12 Outer Continental Shelf Revenue-Sharing for Fisheries and Wildlife Programs* (1982),  
Available at: [http://digitalcommons.law.msu.edu/afwa\\_reso/256](http://digitalcommons.law.msu.edu/afwa_reso/256)

This Conference Proceeding is brought to you for free and open access by the The (International) Association of Fish & Wildlife Agencies Conservation Collection at Digital Commons at Michigan State University College of Law. It has been accepted for inclusion in Resolutions by an authorized administrator of Digital Commons at Michigan State University College of Law. For more information, please contact [domannbr@law.msu.edu](mailto:domannbr@law.msu.edu).

ka National Interest Lands Conservation Act of 1980 to change the status of approximately 12 million acres of lands now in National Park status, to National Park Preserve status, so that recreational hunting, fishing and trapping may be pursued on such lands under state regulation.

### **Resolution No. 3**

#### **Threat to Wetlands Preservation**

WHEREAS, wetlands are critical to the survival of many fish and wildlife species, the maintenance of water quality, groundwater recharge and flood control;

WHEREAS, about one-half of the original 150 million acres of wetlands in the coterminous United States have already been destroyed;

WHEREAS, continued protection of wetlands is critical to meeting obligations of the United States under migratory bird treaties;

WHEREAS, interim final regulations for the Section 404 program published in the Federal Register on July 22, 1982, and made final on August 23, 1982, authorized nationwide permits allowing discharge of dredged and fill material into nontidal rivers, streams, lakes and adjacent wetland areas above the headwaters and into isolated nontidal waters;

WHEREAS, these nationwide permits would provide virtually no protection to millions of acres of prime aquatic habitats, including prairie pot-holes and other vital links to the international migratory flyways systems;

WHEREAS, on August 23, 1982, the Environmental Protection Agency requested comment on its Section 404(b)(1) guidelines, and asked whether the jurisdictional scope of Section 404 should be changed or the existing presumption against discharges into wetlands "retained, revised or eliminated";

NOW, THEREFORE, BE IT RESOLVED, that the International Association of Fish and Wildlife Agencies requests the Administration and Congress to retain application of the Section 404 permitting process to all waters of the United States, including wetlands, as currently defined in the Section 404(b)(1) guidelines, and to retain and apply rigorously the existing presumption against discharges into wetlands;

BE IT FURTHER RESOLVED, that the nationwide permits for discharges into nontidal rivers, streams, lakes and adjacent wetlands above the headwaters and into isolated waters should be revoked and that permit applications for discharge of dredged or fill material into these areas be considered on an individual basis to insure needed protection of these critical natural resources and associated values.

### **Resolution No. 4**

#### **Outer Continental Shelf Revenue-Sharing for Fisheries and Wildlife Programs**

WHEREAS, the current Administration policy seeks to decentralize Federal control of national programs in favor of regional authority, delegating increasing responsibility for direction and support to the States;

WHEREAS, these programs must serve a combination of national, regional and local needs and interests and, therefore, merit State-Federal sharing of costs as well as responsibilities;

WHEREAS, the national interest in these programs would be well served by applying a portion of the revenues to be derived from exploitation of *non-renewable* natural resources to assure the continued protection, development and wise use of *renewable* natural resources.

WHEREAS, Federal revenue-sharing in support of these programs can be accomplished most efficiently via consolidation of funds to each state;

NOW, THEREFORE, BE IT RESOLVED, that the International Association of Fish and Wildlife Agencies endorses the establishment of a fund derived from a portion of revenues generated pursuant to the Outer Continental Shelf Lands Act; such fund to be applied to Federal cost-sharing for fishery and wildlife research and management programs, coastal zone management programs, and related activities;

BE IT FURTHER RESOLVED, that the mechanisms for disbursement of these Federal funds shall be consolidated into grants to the States for these related purposes, in accordance with guidelines and procedures agreed upon with the States; those procedures designed to provide reasonable in-State flexibility for achieving State and regional objectives, yet at the same time restricting use of funds to long-range resource development and management goals.

## **Resolution No. 5**

### **Amendments to Magnuson Fishery Conservation and Management Act**

WHEREAS, both houses of Congress have held oversight hearings on the Magnuson Act during the past year;

WHEREAS, there is a clear need to improve conservation and management of the Nation's fisheries;

NOW, THEREFORE, BE IT RESOLVED, that the International Association of Fish and Wildlife Agencies requests Congress to amend the Magnuson Act to:

1. assure 100 percent observer coverage of foreign fishing vessels in U.S. waters;
2. reduce allocations of fish to foreign nations that are not responsive to U.S. fisheries policies;
3. streamline and shorten the Federal review processes for implementation of regional fishery management plans;
4. restrict Federal fishery management to only those fisheries where management cannot be handled adequately by State agencies;
5. clarify that the development of new fisheries will not occur without consideration for their impact on the already fully-utilized and well-established existing domestic fisheries;
6. extend State jurisdiction to Federal waters that are totally enclosed by the territorial sea.